



The relief described hereinbelow is SO ORDERED.

Signed July 31, 2023.

A handwritten signature in black ink, appearing to read "H. Mott".

H. CHRISTOPHER MOTT
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

In re

PASO DEL NORTE MATERIALS, LLC,

Debtor.

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Case No. 23-30252-HCM-11

**ORDER GRANTING DEBTOR'S EMERGENCY MOTION FOR AUTHORIZATION
TO SELL FOUR RANCO END-DUMP TRAILERS FREE AND CLEAR OF LIENS**

On July 25, 2023 after notice and an opportunity to be heard were furnished to parties in interest, the Court considered via WebEx hearing the Motion of the Debtor-in-Possession PASO DEL NORTE MATERIALS, LLC ("PDNM") to Sell for the sum of \$256,000 four Ranco 26' End-Dump Trailers, serial numbers ending -8771, -8772, -8773, and -8774, free and clear of liens and interests under 11 U.S.C. § 363(b) and (f). For good cause shown, the Motion is GRANTED.

From the proceeds of \$256,000 there shall be paid the following liens and expenses:

- a) Attorney's fees and expenses for the disposition of the 4 Ranco Trailers have been requested by Debtor's counsel E.P. BUD KIRK of up to \$4,500.00. Those funds shall remain in Mr. KIRK's trust account pending Court approval of a motion to surcharge the collateral under 11 U.S.C. § 506(c), which Mr. KIRK is to file with the Court, together with the appropriate billing and expense records. Any amount of that \$4,500.00 Motion that is not approved by the Court shall be sent on to FIRST SOURCE BANK.
- b) A sales commission of 5.469%, already paid to and being held by the broker CARMODY & ASSOCIATES, equal to \$14,000.00; is not approved and may be retained by the broker.
- c) The balance of the sale proceeds, \$237,500.00, is to be paid to the first contractual lienholder, 1ST SOURCE BANK. 1ST SOURCE BANK upon receipt of the above payment shall furnish forms of lien releases for the four Ranco Trailers to the Buyer, CORE EQUIPMENT, LLC, at 1476 W. Howard Ave, Suite B, Gilbert AZ 85233. The sale is, however, free and clear of all liens, whether a release is executed or not.
- d) Any sales tax upon this transaction is to be borne by the buyer, CORE EQUIPMENT, LLC, at 1476 W. Howard Ave, Suite B, Gilbert AZ 85233.
- e) It shall be PASO DEL NORTE MATERIALS, LLC's obligation to see that the four Ranco trailers will pass TxDOT inspection..

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Submitted by:

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